

PATENT APPLICATION

Attorney Docket No. 70496

Date: May 22, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David Jenkins et al.

Appln No.: 09/777,979

Filed: February 6, 2001

For: MEDICAL IMPLANT FOR  
ELECTROSTIMULATION USING  
DISCRETE MICRO-ELECTRODES

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this date.

5-22-01  
Date

  
Registration No. 30,562

Attorney for Applicant(s)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box MISSING PARTS

Commissioner of Patents and Trademarks

ATTENTION: Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts dated March 14, 2001, Confirmation No. 3369 enclosed are:

- (X) Extension of time within the first month with fee of \$55.00.
- (X) A copy of the Notice to File Missing Parts.
- (X) An executed Declaration for Patent Application, including Power of Attorney.
- (X) Assignment(s) of the invention to TRANSNEURONIX, INC., and Recordation Form Cover Sheet - Patents Only - Form PTO-1595.
- (X) A check in the amount of \$ 40.00 to cover the fee for recording the assignment(s).

X) Fee Calculation:

Fee Calculation For Claims As Filed

( ) Non-Provisional Utility Application \$710.00 \$ \_\_\_\_\_  
Basic Fee

- Independent \_\_\_\_\_ - 3 = \_\_\_\_\_ x \$ 80.00 = \$ \_\_\_\_\_
- Total Claims \_\_\_\_\_ - 20 = \_\_\_\_\_ x \$ 18.00 = \$ \_\_\_\_\_
- Fee for Multiply Dependent Claims x \$270.00 = \$ \_\_\_\_\_
- Surcharge under 37 C.F.R. §1.16(e) x \$130.00 = \$ 130.00

Total Filing and/or Surcharge Fee \$ 130.00

(X) Small Entity Fee (reduced by half) \$ 65.00

(X) Statement(s) of Status as Small Entity enclosed.

- (X) A check in the amount of \$ 65.00 to cover the Filing and/or Surcharge Fee is enclosed.
- ( ) Charge \$ \_\_\_\_\_ to Deposit Account No. 06-1135.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

May 22, 2001  
(Date)

  
Richard A. Kaba  
Registration No. 30,562

FITCH, EVEN, TABIN & FLANNERY  
Suite 1600  
120 South LaSalle Street  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

**Inventor:** David Jenkins, et al. **Atty. Docket No.** 70496 (6328)  
**Title:** *Medical Implant for Electro-Stimulation Using Discrete Micro-Electrodes* RAK/hd  
**U.S.S.N.:** 09/777,979 **FILED:** February 6, 2001 **Mailed:** 11/6/02

**1) Response and 2) Amendment Transmittal**

**Hon. Commissioner of Patents and Trademarks**

**Sir:**

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,

**FITCH, EVEN, TABIN & FLANNERY**

MAR 21 2001

Page 1 of 1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/777,979	02/06/2001	David Jenkins	70496

22242  
FITCH EVEN TABIN AND FLANNERY  
120 SOUTH LA SALLE STREET  
SUITE 1600  
CHICAGO, IL 606033406

Due 5/14/01  
PP

CONFIRMATION NO. 3369

FORMALITIES LETTER



\*OC000000005859059\*

Date Mailed: 03/14/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

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*A copy of this notice MUST be returned with the reply.*

*McDermott*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

MAR 21 2001



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/777,979	02/06/2001	3762	691	70496		44	6

22242  
 FITCH EVEN TABIN AND FLANNERY  
 120 SOUTH LA SALLE STREET  
 SUITE 1600  
 CHICAGO, IL 606033406

CONFIRMATION NO. 3369

## FILING RECEIPT



\*OC000000005859058\*

Date Mailed: 03/14/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

David Jenkins, Flanders, NY;  
 Pat Gordon, Wayzata, MN;

## Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/181,320 02/09/2000  
 AND CLAIMS BENEFIT OF 60/249,096 11/15/2000  
 AND CLAIMS BENEFIT OF 60/249,654 11/17/2000

## Foreign Applications

If Required, Foreign Filing License Granted 03/13/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Medical implant device for electrostimulation using discrete micro-electrodes

Preliminary Class

607

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Data entry by : DUONG, MICHAEL

Team : OIPE

Date: 03/14/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

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Customer Service Center  
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